

Adopted	Rejected
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## COMMITTEE REPORT

YES:	20
NO:	0

### MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred Senate Bill 201, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 11-10-3-2.5 IS AMENDED TO READ AS
- 4       FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2.5. (a) As used in this
- 5       section, "confirmatory test" means a laboratory test or a series of tests
- 6       approved by the state department of health and used in conjunction
- 7       with a screening test to confirm or refute the results of the screening
- 8       test for the human immunodeficiency virus (HIV) antigen or antibodies
- 9       to the human immunodeficiency virus (HIV).
- 10       (b) As used in this section, "screening test" means a laboratory
- 11       screening test or a series of tests approved by the state department of
- 12       health to determine the possible presence of the human
- 13       immunodeficiency virus (HIV) antigen or antibodies to the human
- 14       immunodeficiency virus (HIV).

(c) For an individual who is committed to the department after June 30, 2001, the examination required under section 2(a) of this chapter must include the following:

(1) A blood test for hepatitis C.

(2) A screening test for the human immunodeficiency virus (HIV) antigen or antibodies to the human immunodeficiency virus (HIV).

(d) If the screening test required under subsection (c)(2) indicates the presence of antibodies to the human immunodeficiency virus (HIV), the department shall administer a confirmatory test to the individual.

(e) The department may require an individual who:

(1) was committed to the department before July 1, 2001; and

(2) is in the custody of the department after June 30, 2001;

to undergo the tests required by subsection (c) and, if applicable, subsection (d).

**(f) Ninety (90) days before an individual committed to the department is:**

**(1) released on:**

**(A) parole; or**

**(B) probation;**

**(2) transferred to a:**

**(A) community transition program; or**

**(B) community corrections program; or**

**(3) discharged;**

**the department shall perform the blood and screening tests described in subsection (c).**

~~(f)~~ (g) Except as otherwise provided by state or federal law, the results of a test administered under this section are confidential.

~~(g)~~ (h) The department shall ~~beginning September 1, 2002,~~ file an annual report in an electronic format under IC 5-14-6 with the executive director of the legislative services agency containing statistical information on the number of individuals tested and the number of positive test results determined under this section.

SECTION 2. IC 11-10-12-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 5. Ninety (90) days before an individual committed to the department is:**

- 1           **(1) released on:**  
2               **(A) parole; or**  
3               **(B) probation;**  
4           **(2) transferred to a:**  
5               **(A) community transition program; or**  
6               **(B) community corrections program; or**  
7           **(3) discharged;**  
8           **the department shall perform the blood and screening tests**  
9           **described in IC 11-10-3-2.5(c).".**  
10          Renumber all SECTIONS consecutively.  
              (Reference is to ESB 201 as printed March 30, 2007.)

**and when so amended that said bill do pass.**

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Representative Crawford